

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|-----------------------------|---|-----------|
| MONARCH CONSTRUCTION, INC., |) | |
| and DAVID LEE BOYD, |) | |
| |) | |
| Plaintiffs, |) | 8:04CV519 |
| |) | |
| v. |) | |
| |) | |
| GARY COOPER, and BUTCH |) | ORDER |
| MICHAEL HOMES, |) | |
| |) | |
| Defendants. |) | |
| |) | |

The defendants have filed a motion to file a Second Amended Answer. Filing 47. The time allowed for responding to this motion has expired, and the plaintiffs have filed no response. Upon reviewing the motion and its merits, I find the motion should be granted.

IT THEREFORE HEREBY IS ORDERED:

1. Defendants' motion to file a Second Amended Answer, filing 47, is granted.
2. The proposed amended answers, attached to the defendants' motion as exhibits A and B, shall be electronically filed on or before October 25, 2005.

DATED this 18th day of October, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge